

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC.,
et al.

Plaintiffs,

v.

MORGAN STANLEY & CO., INC.,
et al.

Defendants.

CIVIL ACTION NUMBER:
1:10-CV-03108-WBH

JOINT MOTION FOR EXTENSION OF TIME

Plaintiffs and Defendant Merrill Lynch Professional Clearing Corporation (“Merrill Pro”) jointly move to extend the pending deadline for Plaintiffs to file their response to Merrill Pro’s Motion to Dismiss filed in the above-captioned action, which was removed to this Court on September 28, 2010 from the State Court of Fulton County, Georgia.¹

1. The Plaintiffs’ response to the Motion to Dismiss [Docket No. 59] is currently due on November 12, 2010. The Motion argues that the Court lacks

¹ Plaintiffs believe that the removal of this case was improper, and have filed a motion to remand. Plaintiffs’ agreement to this Proposed Consent Order Extending Time should not be construed as Plaintiffs’ agreement or consent to the removal or to the jurisdiction of this Court.

personal jurisdiction over Merrill Pro. Merrill Pro submitted the Declaration of Peter Melz in support of the Motion.

2. By agreement of the parties, Plaintiffs will take the deposition of Mr. Melz on facts relevant to the Motion to Dismiss on November 11, 2010, in New York.

3. On November 1, 2010, Plaintiffs served Merrill Pro with requests for admission and requests for production of documents relating to the Motion to Dismiss.

4. Plaintiffs and Merrill Pro agree and jointly move that the due date for Plaintiffs' response to the Motion to Dismiss should be extended for thirty (30) days, to and including December 13, 2010.

5. This extension shall be without prejudice to Plaintiffs' right to request or move for a further extension of time for their response to the Motion to Dismiss and without prejudice to Defendants' right to object to any such request or motion.

6. A copy of the parties' proposed Consent Order is attached hereto as Exhibit A.

Jointly submitted this 9th day of November, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that on this day, a true and correct copy of the foregoing **JOINT MOTION FOR EXTENSION OF TIME** was electronically filed with the Clerk of Court using the Court's electronic filing system which will automatically send an email notification of such filing to the following attorneys of record who are registered participants in the Court's electronic notice and filing system:

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Further, I hereby certify that on this day, I caused to be served a true and correct copy of the foregoing via United States mail on:

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This the 9th day of November, 2010.

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